

3 May 2002

George Douglass
Deep Creek Mountains Ranch
Callao Star Route Box 380
Wendover, Utah 84083

RECEIVED

MAY 06 2002

**WATER RIGHTS
SALT LAKE**

Lee H. Sim, P.E.
Utah Division of Water Rights
P.O. Box 146300
Salt Lake City, Utah 84114-6300

Dear Mr. Sim:

In response to our meeting here on April 18, 2002, we provide the following observations and assessments.

An interesting point--Glen Allred went up Granite Canyon approximately one hour before the meeting and opened the sluice to shut the water off and immediately following your departure, he went back up the canyon and closed the sluice. We feel that this and his argumentative behavior at the meeting should demonstrate his unwillingness to have the water measured.

Another indicator of this unwillingness is the fact that Red Cedar Corporation (RCC) removed the staff gages that we bought and had provided them, making it impossible for the River Commissioner to do his job.

We have constructed a portable staff gage that can be used on Red Cedar Creek. We have a Global brand flow meter/staff gage that can be used at the power house discharge on Granite Creek. These are available for the River Commissioner or the State Engineer to use at any time.

We find it interesting that the data taken off of the aquapod only includes the irrigation season. Red Cedar Corporation right allows for year around diversion, and they do divert all year so the data for the whole year should be included, so that water over and above their annual tariff will not be exceeded.

We also find it interesting that the data would show an unfluctuating rate for one month and then change for the next month to another unfluctuating rate. We realize that the aquapod gives good reliable data, but only as long as the installation and calibration are untampered with.

Buck Douglass does the water sampling on a monthly basis on the Deep Creek Mountains for the Utah State Department of Water Quality and the Goshute Indian Tribe Natural Resources Commission. His accuracy and thoroughness are well recognized.

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Our contention is that where RCC is diverting water all year, they can exceed their tariff on water annually, and even in drought years. Therefore, it becomes more important that the water diversion be measured, so they do not exceed their 2182 acre feet from all rights combined per annum, that includes winter storage.

Enclosed are flow measurements we took for the month of April, 2002. If there is any discrepancy between the flow measurements we took for the month of April, and those of the RCC, then we feel a meeting with you is in order to verify correct measurement procedures and provide for any necessary calibration between ours and the RCC aquapod equipment.

Sincerely,

George Douglass

George Douglass

GRANITE CREEK FLOW MEASUREMENT

2002 DATE	TIME	4' WEIR DEPTH	FLOW CFS
4-04		.25	1.65
4-06		.25	1.65
4-18		.29	2.0
4-19	18:45	.29	2.0
4-22	10:30	.25	1.65
4-24	09:55	.29	2.0
4-29	13:15	.35	2.7
4-30	18:00	.34	2.6

RED CEDAR CREEK FLOW MEASUREMENT

2002 DATE	TIME	4'WEIR DEPTH	FLOW CFS
4-04			
4-06		.45	1.94
4-18		.4	1.6
4-19	18:25	.44	1.8
4-22	14:30	.33	1.23
4-24	09:55	.33	1.23
4-29	14:35	.49	2.2
4-30	17:35	.45	1.94